

VERSION OF AMENDMENTS WITH MARKINGS TO SHOW CHANGES:

IN THE CLAIMS:

Please cancel Claims 2, 8 and 12.

1. (Three Times Amended) An apparatus for holding paint comprising:
 - a. [one or more] a plurality of paint storage compartments each for storing paint having a front, a back, a first side, a second side and a base;
 - b. a frame [configured] for holding the paint storage compartments; and
 - c. means for dispensing removeably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments.

5. (Twice Amended) The apparatus for holding paint as claimed in claim 1 further comprising:
 - a. [a] one or more lids for selectively covering the paint storage compartments; and
 - b. means for stirring removeably coupled to the lids for stirring the paint stored in the paint storage compartments when the lids [is] are covering the paint storage compartments.

6. (Amended) The apparatus for holding paint as claimed in claim 5 wherein the means for stirring further comprises:
 - a. a circular base having a central axis, wherein the circular base is configured for rotating about the central axis;
 - b. a rod coupled to the circular base at the central axis such that the rod spins when the circular base is rotated about the central axis; and
 - c. a stirring fan apparatus removeably coupled to the rod and having a plurality of fins which extend outwardly from the stirring fan apparatus and rotate about the central axis when the circular base is rotated for stirring the paint contained within the paint storage compartments.

7. (Twice Amended) An apparatus for storing paint comprising:
- a plurality of paint storage compartments each for storing paint and each having a front, a back, a planar first side, a planar second side and a base;
 - a frame [configured] for holding the paint storage compartments;
 - [a] one or more lids for covering the paint storage compartments; and
 - a stirring assembly removably coupled to the lids for stirring the paint stored in the paint storage compartments when the lids [is] are covering the paint storage compartments.
10. (Amended) The apparatus as claimed in claim 7 wherein the stirring assembly comprises:
- a circular base configured for rotating about a central axis;
 - a rod coupled to the circular base at the central axis such that the rod spins when the circular base is rotated about the central axis;
 - a stirring fan apparatus removeably coupled to the rod for stirring paint contained within the paint storage compartments, wherein the stirring fan apparatus includes a plurality of fins which extend outwardly from the stirring fan apparatus and rotate about the central axis when the circular base is rotated.
11. (Twice Amended) An apparatus for storing paint comprising:
- a plurality of paint storage compartments each for storing paint and each having a front, a back, a first side, a second side and a base;
 - a frame [configured] for holding the paint storage compartments;
 - a dispensing mechanism removably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the dispensing mechanism is capable of dispensing paint without lifting the paint compartments;
 - [a] one or more lids for covering the paint storage compartments; and
 - a stirring assembly removably coupled to the lids for stirring the paint stored in the paint storage compartments.
16. (Three Times Amended) A reusable paint container comprising:
- a plurality of paint compartments for storing paint;
 - a body [configured] for holding the paint compartments having a front, a back, a planar first side and a planar second side;

- c. [a] one or more lids removeably coupled to the paint compartments having an outer side, an inner opposite side and [a small] an aperture located through the lid from the outer side to the inner opposite side;
- d. a stirring mechanism removeably coupled to the outer side of the lids having an integrally formed rod located at a central axis of the stirring mechanism, wherein the rod is positioned through the [small] aperture in the lids to extend into the paint compartment when the lids [is] are positioned over the paint compartments; and
- e. a fan apparatus removeably coupled to the rod of the stirring mechanism on the inner opposite side of the lids.

19. (Amended) The reusable paint container as claimed in claim 16 wherein an interior of the paint compartments has a sloped area and a reservoir area.

20. (Amended) The reusable paint container as claimed in claim 19 wherein the reservoir area includes a centrally located circular depression having a [small] hole located in the center of the circular depression, wherein the [small] hole is [configured] for coupling a spigot assembly to the paint compartment.

22. (Three Times Amended) A reusable paint container comprising:

- a. a body having a first side and a second side, wherein the body is [configured] for holding paint within [one or more] a plurality of integral paint compartments each having a front, a back, a planar first side and a planar second side;
- b. [a] one or more lids removeably coupled to the paint compartments each having an outer side, an inner opposite side and [a small] an aperture located through the lid from the outer side to the inner opposite side;
- c. a stirring mechanism removeably coupled to the outer side of the lids having an integrally formed rod located at a central axis of the stirring mechanism, wherein the rod is positioned through the [small] aperture in the lids to extend into a corresponding paint compartment when the lid is positioned over the corresponding paint compartment; and
- d. a fan apparatus removeably coupled to the rod of the stirring mechanism on the inner opposite side of the lid.

24. (Amended) The reusable paint container as claimed in claim 22 wherein the [body includes] integral paint compartments include a plurality of mounting slots located on the back for mounting the [main] body to a wall.

27. (Amended) The reusable paint container as claimed in claim 26 wherein the reservoir area includes a centrally located circular depression having a [small] hole located in the center of the circular depression, wherein the [small] hole is [configured] for coupling a spigot assembly to the paint compartment.

REMARKS

Applicants respectfully request further examination and reconsideration in view of the amendments made above and comments set forth fully below. Within the Office Action, all of the Claims 1-28 have been rejected. By the above amendment, Claims 1, 5-7, 10, 11, 16, 19, 20, 22, 24 and 27 have been amended and Claims 2, 8 and 12 have been cancelled. Claims 1, 3-7, 9-11 and 13-28 are pending.

Rejections Under 35 U.S.C. § 112

Claims 1-28 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it is stated that each independent Claim 1, 7, 11, 16 and 22 is rendered indefinite by the phrase "configured for holding." By the above amendment, the term "configured" has been deleted from the independent Claims 1, 7, 11, 16 and 22.

It is also stated that the Claims 2, 8 and 12 are further rendered indefinite by the phrase "configured for holding a plurality of paint storage compartments." By the above amendment, the Claims 2, 8 and 12 have been cancelled.

Regarding Claim 22, it is stated that the claim must particularly point out whether or not a paint compartment is required. Claim 22 is directed to a reusable paint container comprising a body. It is specified in Claim 22 that the body has a first side and a second side. It is further specified that the body is for holding paint within a plurality of integral paint compartments each having a front, a back, a planar first side and a planar second side. Accordingly, it is clearly specified in Claim 22 that the body includes a plurality of integral paint compartments for holding paint.

It is further stated that Claims 16, 20, 22 and 27 are rendered indefinite by the relative term "small." By the above amendment, the term "small" has been deleted from Claims 16, 20, 22 and 27.

Regarding Claim 24, it is stated that there is a lack of antecedent basis for "the main body." By the above amendment, the term "the main body" has been amended to "the body" which has clear antecedent basis in Claim 22. It is also stated that the phrase "the body includes a plurality of mounting slots located in the back" in Claim 24 is unclear. By the above amendment, Claim 24 has been amended to specify that the "integral paint compartments include a plurality of mounting slots located on the back for mounting the body to a wall."

For at least these reasons, applicant submits that the Claims 1, 3-7, 9-11 and 13-28 are definite and do particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Rejections Under 35 U.S.C. § 102

Claims 1-3 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 5,673,817 to Mullen et al. (hereinafter "Mullen"). The Applicant respectfully disagrees. Mullen teaches an all-purpose dispenser for liquids such as milk, cream and juices, and bulk products such as condiments and salad dressings. Mullen teaches that the dispensing unit is for dispensing liquid products such as milk, cream, juices, iced tea, water, liquid eggs, fruit drinks, lemonade, wine, and other liquids, and for dispensing bulk products such as salad dressings and condiments including ketchup and mustard. [Mullen, Abstract] The problem identified by Mullen in the description of the prior art is that previous food service dispensers encountered problems because of limited counter space as in a diner, and with limited dispensing versatility and flexibility. [Mullen, col. 1, lines 17-32] Mullen does not teach a dispenser for storing and dispensing paint. Mullen also does not make obvious a dispenser for storing and dispensing paint. The issues with storing and dispensing paint are very different than storing and dispensing food products in a diner-type atmosphere.

In contrast to the teachings of Mullen, the present invention is directed towards an apparatus for holding paint including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Mullen, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Mullen does not teach an apparatus for holding paint including a plurality of paint storage compartments.

The independent Claim 1 is directed to an apparatus for holding paint. The apparatus of Claim 1 comprises a plurality of paint storage compartments each for storing paint having a front, a back, a first side, a second side and a base, a frame for holding the paint storage compartments and a means for dispensing. The means for dispensing is removeably coupled to the paint

storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments. As discussed above, Mullen does not teach or make obvious an apparatus for holding paint. Further, Mullen does not teach or make obvious a plurality of paint storage compartments for storing paint, a frame for holding the paint storage compartments and a means for dispensing for dispensing paint. For at least these reasons, the independent Claim 1 is allowable over the teachings of Mullen.

Claim 2 has been cancelled by the above amendment. Claim 3 is dependent on the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Mullen. Accordingly, the dependent Claim 3 is allowable as being dependent on an allowable base claim.

Claims 1-4 have been rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent No. 6,109,482 to Briggs (hereinafter "Briggs"). The Applicant respectfully disagrees. Briggs teaches a device for dispensing liquid from a bottle. Briggs explicitly teaches that the general purpose of his invention is to provide a soda dispenser for conveniently dispensing soda from a 2-liter bottle or the like. [Briggs, col. 1, lines 30-35] Briggs does not teach a dispenser for storing and dispensing paint. Briggs also does not make obvious a dispenser for storing and dispensing paint. The issues with storing and dispensing paint are very different than storing and dispensing soda in 2-liter bottles.

In contrast to the teachings of Briggs, the present invention is directed towards an apparatus for holding paint including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Briggs, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Briggs does not teach an apparatus for holding paint including a plurality of paint storage compartments.

The independent Claim 1 is directed to an apparatus for holding paint. The apparatus of Claim 1 comprises a plurality of paint storage compartments each for storing paint having a front, a back, a first side, a second side and a base, a frame for holding the paint storage compartments

and a means for dispensing. The means for dispensing is removeably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments. As discussed above, Briggs does not teach or make obvious an apparatus for holding paint. Further, Briggs does not teach or make obvious a plurality of paint storage compartments for storing paint, a frame for holding the paint storage compartments and a means for dispensing for dispensing paint. For at least these reasons, the independent Claim 1 is allowable over the teachings of Briggs.

Claim 2 has been cancelled by the above amendment. Claims 3 and 4 are both dependent on the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Briggs. Accordingly, the dependent Claims 3 and 4 are both allowable as being dependent on an allowable base claim.

Claims 1-4 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 5,842,606 to Devito (hereinafter "Devito"). The Applicant respectfully disagrees. Devito teaches a beverage server. Devito explicitly teaches that his invention relates generally to drink serving devices, and, more specifically, to a beverage server able to provide a user with a desired number of drink selections. [Devito, col. 2, lines 10-12] Devito does not teach a dispenser for storing and dispensing paint. Devito also does not make obvious a dispenser for storing and dispensing paint. The issues with storing and dispensing paint are very different than storing and dispensing beverages.

In contrast to the teachings of Devito, the present invention is directed towards an apparatus for holding paint including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Devito, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Devito does not teach an apparatus for holding paint including one or more paint storage compartments.

The independent Claim 1 is directed to an apparatus for holding paint. The apparatus of Claim 1 comprises a plurality of paint storage compartments each for storing paint having a front,

a back, a first side, a second side and a base, a frame for holding the paint storage compartments and a means for dispensing. The means for dispensing is removeably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments. As discussed above, Devito does not teach or make obvious an apparatus for holding paint. Further, Devito does not teach or make obvious a plurality of paint storage compartments for storing paint, a frame for holding the paint storage compartments and a means for dispensing for dispensing paint. For at least these reasons, the independent Claim 1 is allowable over the teachings of Devito.

Claim 2 has been cancelled by the above amendment. Claims 3 and 4 are both dependent on the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Devito. Accordingly, the dependent Claims 3 and 4 are both allowable as being dependent on an allowable base claim.

Claims 1-3, 5 and 11-13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 1,254,429 to Parmeley (hereinafter "Parmeley"). The Applicant respectfully disagrees. Parmeley teaches an automatic painting apparatus. Parmeley teaches subjecting the paint to air pressure for the purpose of feeding it to and through a brush which is used to apply paint to a surface. [Parmeley, col. 1, lines 16-22] The apparatus of Parmeley is for applying paint through a paint brush. Parmeley does not teach a dispenser for storing and dispensing paint. Parmeley also does not make obvious a dispenser for storing and dispensing paint. Further, Parmeley does not teach a dispenser for storing and dispensing paint that includes a plurality of paint storage compartments.

In contrast to the teachings of Parmeley, the present invention is directed towards an apparatus for holding paint including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Parmeley, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Parmeley does not teach an apparatus for holding paint including a plurality of paint storage compartments.

The independent Claim 1 is directed to an apparatus for holding paint. The apparatus of Claim 1 comprises a plurality of paint storage compartments each for storing paint having a front, a back, a first side, a second side and a base, a frame for holding the paint storage compartments and a means for dispensing. The means for dispensing is removeably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments. As discussed above, Parmeley does not teach or make obvious an apparatus for holding paint which includes a plurality of paint storage compartments for storing paint. For at least these reasons, the independent Claim 1 is allowable over the teachings of Parmeley.

Claim 2 has been cancelled by the above amendment. Claims 3 and 5 are both dependent on the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Parmeley. Accordingly, the dependent Claims 3 and 5 are both allowable as being dependent on an allowable base claim.

The independent Claim 11 is directed to an apparatus for storing paint. The apparatus of Claim 11 comprises a plurality of paint storage compartments each for storing paint and each having a front, a back, a first side, a second side and a base, a frame for holding the paint storage compartment, a dispensing mechanism removably coupled to the paint storage compartment for dispensing paint from the paint storage compartment, wherein the dispensing mechanism is capable of dispensing paint without lifting the paint compartment, one or more lids for covering the paint storage compartments and a stirring assembly removably coupled to the lids for stirring the paint stored in the paint storage compartment. As discussed above, Parmeley does not teach or make obvious an apparatus for storing paint. Further, Parmeley does not teach or make obvious a plurality of paint storage compartments each for storing paint and each having a front, a back, a first side, a second side and a base. For at least these reasons, the independent Claim 11 is allowable over the teachings of Parmeley.

Claim 12 has been cancelled by the above amendment. Claim 13 is dependent on the independent Claim 11. As discussed above, the independent Claim 11 is allowable over the teachings of Parmeley. Accordingly, the dependent Claim 13 is allowable as being dependent on an allowable base claim.

Claims 7, 8 and 10 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 101,936 to Stephens (hereinafter "Stephens"). The Applicant respectfully disagrees. Stephens teaches a churn. Stephens does not teach a dispenser for storing and dispensing paint. Stephens also does not make obvious a dispenser for storing and dispensing

paint. Further, Stephens does not teach or make obvious a dispenser for storing and dispensing paint including a plurality of paint storage compartments.

In contrast to the teachings of Stephens, the present invention is directed towards an apparatus for holding paint including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). As discussed above, Stephens does not teach an apparatus for holding paint including a plurality of paint storage compartments.

The independent Claim 7 is directed to an apparatus for storing paint. The apparatus of Claim 7 comprises a plurality of paint storage compartments each for storing paint and each having a front, a back, a planar first side, a planar second side and a base, a frame for holding the paint storage compartments, one or more lids for covering the paint storage compartments and a stirring assembly removably coupled to the lid for stirring the paint stored in the paint storage compartments when the lids are covering the paint storage compartments. As discussed above, Stephens does not teach a plurality of paint storage compartments each for storing paint and each having a front, a back, a planar first side, a planar second side and a base. For at least these reasons, the independent Claim 7 is allowable over the teachings of Stephens.

Claim 8 has been cancelled by the above amendment. Claim 10 is dependent on the independent Claim 7. As discussed above, the independent Claim 7 is allowable over the teachings of Stephens. Accordingly, the dependent Claim 10 is allowable as being dependent on an allowable base claim.

Claims 7, 8, 10, 16, 18, 19, 22, 23 and 25-27 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 5,829,344 to Lande (hereinafter "Lande"). The Applicant respectfully disagrees. Lande teaches a home yogurt/cheese making machine. Lande teaches a home appliance useful in preparing yogurt, soft or hard frozen yogurt or ice cream, and cheese from a starter and either bottled milk or a mixture of dried milk and water as well as other ingredients for providing a desired taste and consistency. [Lande, col. 4, lines 8-14] Lande does not teach a dispenser for storing and dispensing paint. Lande also does not make obvious a dispenser for storing and dispensing paint. The issues with storing and dispensing paint are very different than an appliance for preparing yogurt. Further, Lande does not teach or make obvious a dispenser for storing and dispensing paint including a plurality of paint storage compartments.

In contrast to the teachings of Lande, the present invention is directed towards an apparatus for holding paint including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Lande, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Lande does not teach an apparatus for holding paint including a plurality of paint storage compartments.

The independent Claim 7 is directed to an apparatus for storing paint. The apparatus of Claim 7 comprises a plurality of paint storage compartments each for storing paint and each having a front, a back, a planar first side, a planar second side and a base, a frame for holding the paint storage compartments, one or more lids for covering the paint storage compartments and a stirring assembly removably coupled to the lid for stirring the paint stored in the paint storage compartment when the lids are covering the paint storage compartments. As discussed above, Lande does not teach an apparatus for storing paint. Lande also does not teach a plurality of paint storage compartments each for storing paint and each having a front, a back, a planar first side, a planar second side and a base. For at least these reasons, the independent Claim 7 is allowable over the teachings of Lande.

Claim 8 has been cancelled by the above amendment. Claim 10 is dependent on the independent Claim 7. As discussed above, the independent Claim 7 is allowable over the teachings of Lande. Accordingly, the dependent Claim 10 is allowable as being dependent on an allowable base claim.

The independent Claim 16 is directed towards a reusable paint container. The reusable paint container of Claim 16 comprises a plurality of paint compartments for storing paint, a body for holding the paint compartments having a front, a back, a planar first side and a planar second side, one or more lids removeably coupled to the paint compartments having an outer side, an inner opposite side and an aperture located through the lid from the outer side to the inner opposite side, a stirring mechanism removeably coupled to the outer side of the lid, and a fan apparatus removeably coupled to the rod of the stirring mechanism. As discussed above, Lande does not teach a reusable paint container. Lande also does not teach a plurality of paint

compartments for storing paint. For at least these reasons, the independent Claim 16 is allowable over the teachings of Lande.

Claims 18 and 19 are both dependent on the independent Claim 16. As discussed above, the independent Claim 16 is allowable over the teachings of Lande. Accordingly, the dependent Claims 18 and 19 are both allowable as being dependent on an allowable base claim.

The independent Claim 22 is directed towards a reusable paint container. The reusable paint container comprises a body having a first side and a second side, wherein the body is for holding paint within a plurality of integral paint compartments each having a front, a back, a planar first side and a planar second side, one or more lids removeably coupled to the paint compartments each having an outer side, an inner opposite side and an aperture located through the lid from the outer side to the inner opposite side, a stirring mechanism removeably coupled to the outer side of the lid, and a fan apparatus removeably coupled to the rod of the stirring mechanism. As discussed above, Lande does not teach a reusable paint container. Lande also does not teach a body for holding paint within a plurality of integral paint compartments. For at least these reasons, the independent Claim 22 is allowable over the teachings of Lande.

Claims 23 and 25-27 are all dependent on the independent Claim 22. As discussed above, the independent Claim 22 is allowable over the teachings of Lande. Accordingly, the dependent Claims 23 and 25-27 are all allowable as being dependent on an allowable base claim.

Rejections Under 35 U.S.C. § 103

Claims 1-5 and 11-14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 5,368,387 to Creighton et al. (hereinafter "Creighton"). The Applicant respectfully disagrees. Creighton teaches a soap chip processor and dispenser apparatus. Creighton teaches that the soap chip processor and dispenser apparatus is operable to receive a fluid mixture comprised of water and soap chips which are to be mixed therein to produce a dissolved fluid or soap solution. [Creighton, col. 4, lines 45-52] Creighton does not teach an apparatus for holding paint. Creighton also does not teach a plurality of paint storage compartments.

The independent Claim 1 is directed to an apparatus for holding paint. The apparatus of Claim 1 comprises a plurality of paint storage compartments each for storing paint having a front, a back, a first side, a second side and a base, a frame for holding the paint storage compartments and a means for dispensing. The means for dispensing is removeably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments. As

discussed above, Creighton does not teach or make obvious an apparatus for holding paint which includes a plurality of paint storage compartments each for storing paint. For at least these reasons, the independent Claim 1 is allowable over the teachings of Creighton.

Claim 2 has been cancelled by the above amendment. Claims 3-5 are all dependent on the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Creighton. Accordingly, the dependent Claims 3-5 are all allowable as being dependent on an allowable base claim.

The independent Claim 11 is directed to an apparatus for storing paint. The apparatus of Claim 11 comprises a plurality of paint storage compartments each for storing paint and each having a front, a back, a first side, a second side and a base, a frame for holding the paint storage compartment, a dispensing mechanism removably coupled to the paint storage compartment for dispensing paint from the paint storage compartment, wherein the dispensing mechanism is capable of dispensing paint without lifting the paint compartment, one or more lids for covering the paint storage compartments and a stirring assembly removably coupled to the lid for stirring the paint stored in the paint storage compartments. As discussed above, Creighton does not teach or make obvious an apparatus for storing paint. Further, Creighton does not teach or make obvious a plurality of paint storage compartments each for storing paint and each having a front, a back, a first side, a second side and a base. For at least these reasons, the independent Claim 11 is allowable over the teachings of Creighton.

Claim 12 has been cancelled by the above amendment. Claims 13 and 14 are both dependent on the independent Claim 11. As discussed above, the independent Claim 11 is allowable over the teachings of Creighton. Accordingly, the dependent Claims 13 and 14 are both allowable as being dependent on an allowable base claim.

Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lande. The applicant respectfully disagrees with this rejection. Claim 9 is dependent on the independent Claim 7. As discussed above, the independent Claim 7 is allowable over the teachings of Lande. Accordingly, the dependent Claim 9 is allowable as being dependent on an allowable base claim.

Claims 17, 21, 24 and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lande in view of Briggs. The applicant respectfully disagrees with this rejection. Claims 17 and 21 are dependent on the independent Claim 16. Claims 24 and 28 are dependent on the independent Claim 22. As discussed above, the independent Claims 16 and 22 are both allowable over the teachings of Lande. Accordingly, the Claims 17, 21, 24 and 28 are all allowable as being dependent on an allowable base claim.

Claims 6 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Parmeley. The applicant respectfully disagrees with this rejection. Claim 6 is dependent on the independent Claim 1. Claim 15 is dependent on the independent Claim 11. As discussed above, the independent Claims 1 and 11 are allowable over the teachings of Parmeley. Accordingly, the dependent Claims 6 and 15 are both allowable as being dependent on an allowable base claim.

Claims 7, 8, 10, 16, 18-20, 22, 23 and 25-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Parmeley in view of U.S. Patent No. 5,855,304 to Dean et al. (hereinafter "Dean"). The applicant respectfully disagrees with this rejection. As discussed above, the apparatus of Parmeley is for applying paint through a paint brush. Parmeley does not teach a dispenser for storing and dispensing paint. Parmeley also does not make obvious a dispenser for storing and dispensing paint. Further, Parmeley does not teach or make obvious a dispenser for storing and dispensing paint including a plurality of paint storage compartments.

Dean teaches a paint can. Dean does not teach or make obvious a dispenser for storing and dispensing paint including a plurality of paint storage compartments. Accordingly, neither Parmeley, Dean nor their combination teach or make obvious a dispenser for storing and dispensing paint including a plurality of paint storage compartments.

In contrast to the teachings of Parmeley, Dean and their combination, the present invention is directed towards an apparatus for holding paint including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Parmeley, Dean and their combination, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, neither Parmeley, Dean nor combination teach an apparatus for holding paint including a plurality of paint storage compartments.

The independent Claim 7 is directed to an apparatus for storing paint. The apparatus of Claim 7 comprises a plurality of paint storage compartments each for storing paint and each having a front, a back, a planar first side, a planar second side and a base, a frame for holding the paint storage compartments, one or more lids for covering the paint storage compartments and a stirring assembly removably coupled to the lids for stirring the paint stored in the paint storage

compartments when the lids are covering the paint storage compartments. As discussed above, neither Parmeley, Dean nor their combination teach an apparatus for storing paint including a plurality of paint storage compartments for storing paint each having a front, a back, a planar first side, a planar second side and a base. For at least these reasons, the independent Claim 7 is allowable over the teachings of Parmeley, Dean and their combination.

Claim 8 has been cancelled by the above amendment. Claim 10 is dependent on the independent Claim 7. As discussed above, the independent Claim 7 is allowable over the teachings of Parmeley, Dean and their combination. Accordingly, the dependent Claim 10 is allowable as being dependent on an allowable base claim.

The independent Claim 16 is directed towards a reusable paint container. The reusable paint container of Claim 16 comprises a plurality of paint compartments for storing paint, a body for holding the paint compartments having a front, a back, a planar first side and a planar second side, one or more lids removeably coupled to the paint compartments having an outer side, an inner opposite side and an aperture located through the lid from the outer side to the inner opposite side, a stirring mechanism removeably coupled to the outer side of the lids, and a fan apparatus removeably coupled to the rod of the stirring mechanism. As discussed above, neither Parmeley, Dean nor combination teach a reusable paint container comprising a plurality of paint compartments for storing paint. For at least these reasons, the independent Claim 16 is allowable over the teachings of Parmeley, Dean and their combination.

Claims 18-20 are all dependent on the independent Claim 16. As discussed above, the independent Claim 16 is allowable over the teachings of Parmeley, Dean and their combination. Accordingly, the dependent Claims 18-20 are all allowable as being dependent on an allowable base claim.

The independent Claim 22 is directed towards a reusable paint container. The reusable paint container comprises a body having a first side and a second side, wherein the body is for holding paint within a plurality of integral paint compartments having a front, a back, a planar first side and a planar second side, one or more lids removeably coupled to the paint compartments each having an outer side, an inner opposite side and an aperture located through the lid from the outer side to the inner opposite side, a stirring mechanism removeably coupled to the outer side of the lids, and a fan apparatus removeably coupled to the rod of the stirring mechanism. As discussed above, neither Parmeley, Dean nor combination teach a reusable paint container comprising a body for holding paint within a plurality of integral paint compartments each having a front, a back, a planar first side and a planar second side. For at least these

reasons, the independent Claim 22 is allowable over the teachings of Parmeley, Dean and their combination.

Claims 23 and 25-27 are all dependent on the independent Claim 22. As discussed above, the independent Claim 22 is allowable over the teachings of Parmeley, Dean and their combination. Accordingly, the dependent Claims 23 and 25-27 are all allowable as being dependent on an allowable base claim.

For the reasons given above, applicants respectfully submit that the Claims 1, 3-7, 9-11 and 13-28 are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

HAVERSTOCK & OWENS LLP

Dated: September 6, 2002

By: Jonathan O. Owens
Jonathan O. Owens
Reg. No. 37,902
Attorneys for Applicant(s)

CERTIFICATE OF MAILING (37 CFR § 1.8(a),

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231

HAVERSTOCK & OWENS LLP

Date: 9/6/02 By: [Signature]